

NORTHGATE STAKEHOLDERS GROUP MEETING SUMMARY

**North Seattle Community College
ED 2843A in the Dr. Peter Ku Education Building
Thursday, June 3, 2004, 4:00 pm – 7:00 pm**

The Northgate Stakeholders Group (Group) held its fifth meeting at North Seattle Community College on Thursday, June 3, 2004 from 4:00 pm to 7:00 pm. The purposes of the meeting were to:

- Approve meeting summary #4;
- Complete deliberations and finalize advice on South Lot Open Space and Drainage Options;
- Discuss and formulate advice on a coordinated site agreement for the South Lot;
- Discuss and formulate advice concerning CTIP scope of work; and
- Hear a briefing and discuss the inclusion of NACP goals and policies into the City's Comprehensive Plan.

Welcome/Agenda Review/Meeting Summary

Welcome, Chair Ron LaFayette

Ron LaFayette welcomed the Stakeholders Group to its fifth meeting. He told the Group that he had to leave the meeting early and that Michelle Rupp, Vice Chair, was ill. Consequently, he indicated that Alice Shorett, facilitator, would lead the second half of the meeting.

Agenda Review, Chair Ron LaFayette

The Chair briefly reviewed the agenda. He noted that this meeting was an important one for the Stakeholders Group. Having laid the groundwork over the past several months, the Group would complete deliberations and finalize its advice on South Lot Open Space and Drainage Options. Other agenda items included the coordinated site agreement for the South Lot, additional discussion of the CTIP scope of work, and discussion of inclusion of the Northgate Area Comprehensive Plan (NACP) in the City's Comprehensive Plan. With respect to CTIP, he noted that on Friday (May 28th) a number of Group members had attended an optional meeting to discuss CTIP-related issues. The Group would hear a report of that meeting later in the evening. He indicated that there would be better communication and more advanced notice for future meetings.

The Chair reported that he did not yet have an answer concerning the length of time the Group had been convened to serve. He noted that the Group had been asked to provide advice on three or four major issues and that it would have done so by fall. Other issues, such as transportation, were to continue for a longer time period. He indicated that he would work

with the Mayor's Office and the City Council on a suitable timeframe and bring a suggestion back to the Group.

Meeting Summary

The Chair asked the Group if there were comments on the draft summary from the May 20th Stakeholders Group meeting. A member requested that it be noted on page 6 (before the Pedestrian Connection Workshop Results), that there had been no opportunity for questions or input concerning the Lorig Development. The Group approved the summary as amended.

The Chair invited anyone who wanted to comment during the public comment period to sign up in advance.

Discussion and Completion of Advice #1: Open Space and Drainage Options

David Harrison of the facilitation team led the Group discussion of the revised draft of Advice #1. The version used for discussion was printed on gold-colored paper; it included the facilitation team's revised draft as well as amendments to that version made by Group members. Alice reminded the Group that its ground rules stated that its advice would be completed and approved by the Group in its entirety; where there were differences of opinion, all points of view would be characterized.

Mr. Harrison indicated that there had been three changes in the draft advice: an explanation for why the Group focused on three options for open space and natural drainage; language related to water quality; and cost-control language. Issues raised during the discussion included the following:

- A member expressed concern about the ease of east-west movement for pedestrians in the hybrid version given the likely steepness of the grade (20 to 25 ft. down and then back up). He wanted the minutes to reflect his concern about this issue. It was agreed that this was an issue that should be followed in the design phase.
- With respect to minority advice, it was clarified that the majority could comment on the way the minority characterized the process, but that the minority got to decide its advice.
- The Group agreed that the report of its advice should identify the number of members supporting the majority advice and the number of members supporting the minority advice. It was agreed that Group members who were in the minority could choose whether or not to identify their names.

The Chair expressed his opinion that the Stakeholders Group offered a unique opportunity to form an opinion that would be in the best interests of the community and the strength of the Group's advice was in its consensus. Mr. Harrison said that consensus was a goal but it would not be forced.

The Group proceeded to vote on the drainage options; each seat had one vote. (It was agreed that representatives of seats not in attendance would be allowed to add their vote to the tally

but that they could not raise further issues after this point.) The final vote (including votes cast subsequently by representatives of two seats who were not in attendance) was as follows:

- Natural Drainage: 0 votes
- Hybrid: 21 votes
- Daylighting: 0 votes

In the next vote – on the advice to the city -- 21 members endorsed the majority advice; one member (Kevin Wallace) endorsed the minority advice and agreed that his name could be identified. He also indicated that he could support the hybrid because the Group had not been asked to look at the "no action" alternative.

The Group applauded the final results of the vote.

Creation of Subcommittees

The Chair proposed forming subcommittees of the whole to allow Group members to spend more time to "drill down" and bring back information and presentations for the full group to consider. This approach, he said, might help the Group avoid pitfalls and move ahead. Two issues where such subcommittees could be useful right away, he said, were CTIP and the City's Comprehensive Plan. This approach might also work well for South Lot. In terms of process, he suggested that Group members could volunteer for subcommittees and then he and Michelle Rupp (Vice-Chair) could work on balancing the interests.

In response to a question, it was clarified that both representatives and alternates could participate in subcommittees and that the subcommittees could determine the role of observers at their meetings. In general, it was agreed that they could seek advice from wherever they chose.

It was further clarified that subcommittees would have specific assignments and a timeframe for bringing back suggestions and recommendations for the Group as a whole to consider. Only the full Group would be empowered to make decisions. A member said he wanted to be sure that the subcommittee approach would not reduce the Group's time to deliberate.

Within these guidelines, there was consensus in favor of creating subcommittees on CTIP and on the Comprehensive Plan and a sign-up sheet was passed around for representatives and alternates to volunteer for the subcommittees.

Presentation and Discussion of the Coordinated Site Agreement for the South Lot and Formulation of Draft Advice

The Chair invited Jackie Kirn, Office of Policy and Management, to describe the context of the Coordinated Site Agreement and indicated that other presenters would include Ray Hoffman, Strategic Policies Office, Seattle Public Utilities (SPU), Steve Bollinger of Lorig Associates, and Brad Larssen, Stakeholder Group member.

Ms. Kirn described the context for the Coordinated Site Agreement. She noted that Simon Properties owns the South Lot. Lorig has the option to purchase Parcel A. The City could purchase 2.7 acres at a cost of \$375,000, which she said was a very reasonable cost for land valued in excess of \$4.5 million. She said this was clearly an important economic benefit. She went on to note that the Mayor and City Council recognized the importance of the size of the South Lot. She said this parcel represented the greatest opportunity for development at Northgate. Given the community's values around transit-oriented development, pedestrian connections, and dealing with stormwater, this opportunity was vitally important.

She indicated that, to further the vision and goals of NACP, the coordinated site agreement placed requirements on an owner. These requirements included a minimum of 150 housing units on Parcel A. This residential development would support transit-oriented development, retail, offices, schools, restaurants, and cultural facilities. It specifically prohibited heavy commercial and general manufacturing. The agreement, she said, also committed the developer to work with King County/Metro and the City to make sure that the right kind of development occurs. She said those requirements were the keystone in transforming this parcel into the Northgate vision.

She indicated that Lorig had committed in writing to more than 300 residential units, to seeking input and advice from the Northgate Stakeholders Group, to sustainable design and to a whole suite of environmentally-friendly construction practices. In response to a question, she clarified that sustainable design related to energy conservation, to the use of local materials, and to the use of chemicals and paints that are environmentally friendly.

She said there were a series of steps the City would take before the project could move forward. They included the following:

- The executive would submit to the City Council a proposal to purchase 2.7 acres of property; she said the City's option was good through the end of the year.
- SPU would submit a budget ordinance to proceed with preliminary design of the hybrid drainage option in 2005-2006, to be completed in 2009. It would lay out the timeline and proposed expenditure of funds and authorize SPU to move forward with that proposal.
- It would authorize a Memorandum of Understanding (MOU) between Lorig and the City. She said that while the City and Lorig had reached agreement on some items, others still remained to be decided. An early step would be a short plat because the hybrid drainage option requires reconfiguration of the site and a short plat is necessary to accomplish the reconfiguration. In addition, she said, both parties had committed to abide by allowed uses of the parcels and that those allowed uses would pass to the reconfigured areas.
- She said that SPU had agreed to perform all maintenance and operations on the hybrid drainage system and that Lorig had agreed to be responsible for operations and maintenance on a portion of the reconfigured parcel. They both wanted the adjacent property to benefit residential and commercial tenants.

Ray Hoffman then reviewed a list of issues in the site agreement, including:

- Grade elevations;
- Setbacks;
- Location and number of easements to encourage pedestrian movement;
- Assurance for timely development;
- Assignability of projects and/or property by Lorig;
- Provision and location of pedestrian connections;
- Location of vehicle access; design issues that overlap both properties;
- Enhancements Lorig may want to make on SPU property;
- Landscaping and operation and maintenance of SPU parcel;
- Location and approach to temporary erosion control measures.

(See the handout for the list.) He noted that the ordinance authorizing the MOU would be an iterative process; over time there would be a better sense of what was feasible. He invited the Group to identify omissions.

He indicated that the City wanted to move all three ordinances as a package by mid June. The City Council would then discuss the package in several sessions.

Question: What is your expectation for the Group's advice?

Response (Jackie Kirn): The advice the City is seeking in the short-term is on the set of issues Ray described. The City will send copies of the legislation to the Stakeholders Group when it is available. On June 24, the Group will have a chance to offer advice on the legislation. The advice on the Northgate Framework Resolution is separate from the Group's advice on the Lorig development which will come to the Group in July, with an opportunity to comment in September.

Comment: The \$7.2 million for the drainage option is higher than the high end of figures Miranda [Maupin] showed us.

Response: (Miranda Maupin) The \$7.2 is the total capital cost; the life cycle cost is less.

Remarks from Brad Larssen

Based on maps of the reconfiguration, Mr. Larssen said that it looked like the City would end up owning a creek and the developer would get the land. He said that South Lot had not been discussed except for the creek issue despite the fact that it had been on the agenda multiple times. In this instance, the agenda item was the coordinated site agreement. He said his concern was that the Group was going to give advice to the City on an issue it had not yet deliberated.

Mr. Larssen asked how many in the Group had seen the letter of December 5, 2004. (Ms. Kirn indicated that the letter was available via the Internet and she had copies with her.) He said that significant public money was being spent. In his opinion, the developer was getting a significant public benefit: a creek in the middle of the property that the City would maintain. In addition, the City and developer had agreed to joint site design and to temporary use of city property for staging. He said he had heard options for affordable public housing benefits. In his opinion prevailing wage provisions should apply to the whole development

because public land was involved; once the titles changed, he said, Labor wanted it in the agreements that prevailing wage statutes applied.

Mary Jean Ryan, Director of the City's Office of Policy and Management, was recognized by the Chair. She thanked the Group for all the time members were putting in and recognized that the action the Group had taken at the meeting was historic. She indicated that she had met with Brad and that the major issue he wanted to see addressed was economic benefit and to assure that good jobs came out of that. She said, as part of the Mayor's plan, they all shared that value. When City projects are at issue, she said, the statutes Brad referenced would apply. However, she said, the Lorig project is a private project, not a public project, and those same rules do not apply. She indicated further that the MOU would stipulate that anyone who took title to the middle piece would have to agree to enter into discussions with the Seattle-King County Building Trades Council. These discussions would occur before site configuration was affected. She further indicated that the City was sharing draft documents with the group and that the City would provide the next version in a couple of weeks when they were ready.

David Harrison then posed several options for the Group to consider in deciding its advice relative to the coordinated site agreement:

- The Group could comment on the public benefits, like pedestrian access and the number of housing units that are already built in.
- The Group could comment on a number of issues reflected in the coordinated site agreement (provisions A-F).
- The Group could comment on another set of issues (parallel issues under G) which were still under discussion.
- The Group could comment on Brad's issues at any time.

A member commented that while Brad had a valid concern, it was a detail beyond the Group's responsibilities at this time. In her opinion, the details were either down-the-line or beyond the Group's charter.

In response to a question from a member about the possible significance of the way the property was divided (if there were regulatory issues around six acres or more), Ms. Ryan replied that in the pre-December legislation, the discussions were over property smaller than six acres because of the GDP. Now, she said, the reconfiguration was because of stormwater. She said that Simon Properties wanted to sell as much as it could at market value, which came to 5.9 acres, leaving 2.7 as the remainder.

Another member indicated support for livable wage jobs and felt that one of the reasons for development was to benefit the economy. To him, it seemed that Lorig was getting a lot of benefits, like affordable housing benefits. Ms. Ryan indicated that Lorig did not have the tax exemption for affordable housing but he has said he might want to apply for it. She indicated that up until 2004 no project had been eligible for this benefit but that the City Council had now made it available to Northgate. She noted again that Lorig had committed to more housing, which the City Council wanted, and to sustainable development.

Another member noted that Labor had been asked to participate in the Group and the Group should consider Labor's advice. He requested that Mr. Larssen draft language so the Group could consider it.

Another member indicated that the important question for him was whether the City's action was providing a benefit to Lorig that Lorig would not otherwise get. He indicated it would be helpful to know what Lorig was to pay for 5.9 acres and what its value would be with the creek. If one could argue there was a substantial benefit, then, he said, Mr. Larssen might have a point.

Another member asked if this was an issue a subcommittee could be tasked to explore; she felt it did not need resolution at this meeting; she felt the remainder of the coordinated site agreement did not appear to be problematic.

Another member indicated that she did not feel the Group had the expertise to address this issue. Based on the public construction she engaged as part of her job, she indicated that "prevailing wage" was the only quality assurance one had in public works projects where the low bid was typically the winner. She said that public and private sectors had different ways they worked. She felt it was a mistake for the Group to weigh in on this issue.

Another member with 35 years of experience in construction, including very large projects, said he thought this was a legal issue that would ultimately involve lawyers and a judge. He said another consideration was whether or not this issue could be a deal breaker. He urged the Group to be cautious.

A member asked if the Group would see the MOU before it offered its advice. Ms. Ryan indicated that it would be available.

Steve Bollinger of Lorig Associates said that Lorig was approaching this as a private project. With respect to the "windfall," he said the reconfiguration was to solve a problem with the creek. He said that Lorig had just gotten preliminary information about the cost of shoring; that information could mean that the original configuration would be easier for the developer.

After further discussion, it was agreed that Mr. Larssen would draft advice on behalf of Labor; Debra Fulton would draft advice reflecting a different perspective; and David Harrison would draft advice on the other aspects of the coordinated site agreement. The expectation was, Mr. Harrison said, that the Group would say something to the City on June 24.

A member requested that the Group be given more information: all of Lorig's minimum provisions, clarity on total cost and any details available on items A-F.

The Group took a brief 5-minute break.

Coordinated Transportation Investment Plan (CTIP)

The Chair called on Barbara Maxwell, Stakeholders Group member, to give a brief overview of the NACP. He also introduced Julie Matlick and Tony Mazzella of Seattle Department of Transportation (SDOT) and acknowledged the summary of the meeting held on Friday, May 29 that Janice Camp had provided to the Group.

Barbara Maxwell indicated that the NACP had been developed in the context of a traffic study and the expectation of increased density; she noted further than many of the major constraints considered at that time were still in place. [See the PowerPoint slides and gray colored handout titled “NACP Vision, Policy and Implementation Guideline Overview” for further details.]

Ms. Matlick indicated that the discussions at the Friday meeting had been very useful. She said that SDOT wanted to update the NACP and the outcome of the CTIP was to be a prioritized list of projects and how to fund them. Before SDOT could go further, she said, the Group's advice would go to the City Council.

Mr. Mazzella walked the Group through a chart handed out at the meeting that showed that CTIP was intended to build on existing, very good work. He indicated that SDOT would return on June 24 with an expanded scope of work and tangible recommendations for how the Group would influence the Plan. He clarified that Phase 1 of CTIP was the time to decide what to do while Phase 2 would be the time for carrying out the work.

After asking for a show of hands of Group members who wanted to be on the subcommittee, Mr. Mazzella indicated that the subcommittee would help to flesh out the scope of work and the community involvement plan and bring ideas to the June 24 Group meeting. Late afternoon appeared to be the most favorable time for a subcommittee meeting.

A member asked at what point members could identify areas for consideration that were not currently on the map. In response, Mr. Mazzella indicated that the map was an inventory of Stakeholders Group and public input and he did not anticipate that the City would close the door at any point, even as the project went forward. Another member asked if and when the Group would get a "guestimate" of the cost of potential programs. In response Ms. Matlick indicated that the City expected to prepare an EIS as part of the process but that the City needed partners to fund the environmental review.

Briefing and Discussion of Inclusion of NACP Goals and Policies into Seattle's Comprehensive Plan

Comprehensive Plan Comparisons, Rebecca Herzfeld

Rebecca Herzfeld, of the Central City Council staff, briefed the Group on the proposed reorganization of the NACP and the *Approval and Adoption Matrix*. [See light purple handouts or DPD website for further details.] She also thanked Barbara Maxwell for providing a great overview of the Northgate Plan.

She indicated that 15 of the 16 policy statements would go into the City's Comprehensive Plan. (The GDP had been repealed so it would not go forward.) She indicated that there were

nine stand-alone guidelines that related to the State Environmental Policy Act (SEPA) and staff were not yet sure the best way to handle them. She said she would work with the subcommittee on this and report back. She indicated there was one place there the reorganization might change the way the Plan would be used – that is, in the review of rezones. While a rezone request had been denied on NE 113th St., she said that several City Councilmembers had expressed interest in a possible buffer. The question was what would happen to this rezone request if the map were no longer part of the plan. In some areas in the City, she indicated that general policies guided decisions and, in some areas, they specifically allow upzones. She said it was a question for this group what it wanted to do about this issue. She noted that Barbara Maxwell had proposed language for a policy.

Group members indicating they wanted to be on the Comprehensive Plan subcommittee included Barbara Maxwell, Scott Greer, Velva Maye, Kevin Wallace, Dallas Carleton, Bruce Keister, Colleen Mills, Bob Vreeland. The facilitator noted that the Chair and Vice-Chair might recommend other members to achieve a balance of the interests.

A member asked what the timeline was for the Group's advice. The facilitator indicated that the subcommittee would bring ideas for discussion at the June 24 meeting and the Group could finalize its advice on July 22.

Ms. Herzfeld added that the Council would start reviewing this information in August and expected to be finished by early October, 2004 before budget discussions began. June 15 or 16 were tentatively identified as meeting dates for the subcommittee. A final time was to be selected right after the meeting adjourned.

Public Comment

The facilitator opened the floor for public comment, calling on the individual who had signed up to speak.

Comment: Jan Brucker said she was pleased to see the SPU coordinated site agreement and thought it was an excellent way to put all the public values into a project with public dollars. She noted that the City had historically offered many different kinds of incentives for public and private development. She expressed her opinion that it would be wrong for the Group to act as a "super citizen" when an issue was broader than Northgate – when it affected City policy in general. In those cases, she encouraged members to comment as individuals. With respect to the subcommittees formed at the meeting, she reminded the Group that five neighborhoods ring the core Northgate area, three of which have their own neighborhood plans. She said she thought that it would be shortsighted to leave those neighborhoods out of the process. She said that these issues needed to be open to the broader public because they affected more than just Northgate.

Ms. Brucker added that she lives on the West side of I-5. She urged the Group to consider the map they were given as a broad-brush document. With respect to the suggestion that there should be an overpass over I-5, she said that the recommendation

had been for an *underpass*. She cautioned the Group not to accept labels as a finite definition of this project.

Wrap-Up

Ms. Shorett complimented the Group for having done a great job tapping their own resources. She briefly reviewed agenda items for the next meeting:

- A review of draft materials prepared by the CTIP subcommittee and completion of the Group's advice on the CTIP scope of work;
- A review of draft language from two Group members and David Harrison on the South Lot coordinated site agreement;
- A report from Lorig;
- A report from the Comprehensive Plan subcommittee; and
- A discussion of the Groups' charter and expected longevity.

With respect to the workplan, she noted that the Urban Center discussions had been postponed until the next Stakeholders Group meeting on June 24th.

The meeting adjourned at 7:00 pm.

Meeting Attendance

Representatives and Alternates of the **Northgate Stakeholders Group** in attendance were:

King County Metro: Rep. Ron Posthuma

Simon Properties: Alt. Sam Stalin

Maple Leaf Community Council: Rep. Janice Camp

Licton Springs Community Council: Rep. Jerry Owens

Haller Lake Community Council: Rep. Velva Maye

Pinehurst Community Council: Rep. Lorna Mrachek

Victory Heights Community Council: Rep. Brad Cummings

Northgate Chamber of Commerce: Alt. Scott Greer

Thornton Creek Alliance: Rep. John Lombard, Alt. Erik Davido

Thornton Creek Legal Defense Fund: Alt. Bob Vreeland

North Seattle Community College: Rep. Ronald H. LaFayette

Northwest Hospital: Rep. Chris Roth

Owners of Three or More Acres: Rep. Kevin Wallace, Alt. Rodney Russell

Senior Housing: Rep. Jeanne Hayden

Renters/Condominium Owners: Rep. Debra Fulton, Alt. Brad Mason

Multi-family Housing Developers: Rep. Colleen Mills

Businesses Inside the Mall: Rep. Kurt Schauermaann

Businesses Outside the Mall:

Youth: Rep. Diana Medina

Labor: Rep. Brad Larssen, Alt. David Helene

At-large: Rep. Shawn Olesen, Alt. Barbara Maxwell

At-large: Rep. Marilyn Firlotte, Alt. Mike Vincent

Members of the Triangle Associates facilitation team included: Alice Shorett, David Harrison, Vicki King, and Darcie Garland-Renn.